



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,783	10/18/2001	Naresh C. Singhal	23397.02100	3110

20350 7590 11/02/2005

TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

LAZARO, DAVID R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/041,783

Applicant(s)

SINGHAL ET AL.

Examiner

David Lazaro

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-8,10-16 and 18-23 is/are allowed.
- 6) ☒ Claim(s) 2, 9 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/25/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is in response to the amendment filed 07/25/05.
2. Claims 1, 3-8, 10-13, 16 and 18-22 were amended.
3. Claims 1-23 are pending in this office action.

### ***Response to Amendment/Arguments***

4. Applicant's arguments, see Remarks, filed 07/25/05, with respect to Claims 1-23 have been fully considered and are persuasive. The rejection of claims 1-23 under 35 USC §102(3) as being anticipated by U.S. Patent 6,243,747 by Lewis et al. has been withdrawn. Particularly, the examiner agrees that the conflicts in Lewis are between configuration policies, not between a database object configuration and a network element configuration as claimed. In addition, the amendments to the claims further define the claimed subject from the teachings of Lewis.

### ***Information Disclosure Statement***

5. The information disclosure statement (IDS) submitted on 7/25/05 has been considered by the examiner.

### ***Specification***

6. The disclosure is objected to because of the following informalities:

Art Unit: 2155

- a. On page 1, please insert the appropriate U.S. Patent Application serial number (10/045,182). Also please remove or replace the attorney docket number accordingly.

Appropriate correction is required.

### ***Claim Objections***

7. Claims 1, 3, 6, 8, 13, 16 and 21 objected to because of the following informalities:

- b. Claims 1, 8 and 16 each contain the limitation "some inconsistency" (see line 15 of claim 1 for example). The examiner suggests changing this to "an inconsistency" for complete clarity.

- c. Claim 3 states, "is one of:" in line 2. As there is only one limitation following this, the examiner suggests changing this to "is" or "includes".

- d. Claims 6, 13, 21 each contain the term "LOCAL". The examiner suggests changing this to "local" to be consistent with the independent claims.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 2, 9 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Claims 2, 9 and 17 each recite the limitations "the network element values" and "the database object values". There is insufficient antecedent basis for this limitation in the claim. The examiner notes this is a result of applicant's amendment, which removed the previous basis for these limitations.

***Allowable Subject Matter***

11. Claims 1, 3-8, 10-16 and 18-23 are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter: In addition to the applicant's remarks filed 07/25/05, the primary reason for indicating allowable subject matter is the inclusion of the following limitations as a whole in a system (and corresponding method and computer-readable medium) for managing configuration inconsistencies between a network management system and network elements:

"a status field configured to display a database object state, wherein the database object state represents a relationship between a database object configuration and a network element configuration, wherein if an inconsistency is found between the database object configuration and the network element configuration, the inconsistency is shown as one of a plurality of configuration inconsistency types, the plurality of configuration inconsistency types including:

a conflict inconsistency type, meaning some inconsistency exists between the database object configuration and the network element configuration;

a local inconsistency type meaning no network element exists for a selected database object: and

an agent inconsistency type, meaning that a network element exists, but that no corresponding database object exists;

one or more selectable input mechanisms, each input mechanism performing a different action, wherein the inconsistency type shown is used to determine an input mechanism that, when selected by the user performs an action that automatically resolves the inconsistency by editing the database object configuration and/or the network element configuration" (as from claim 1)

This subject matter is not found in the prior art and is considered non-obvious in view of the prior art.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

14. U.S. Patent 5,889,953 by Thebaut et al. "Policy management and conflict resolution in computer networks" March 30, 1999. Related to the Lewis reference and relates to conflict between policies.

15. U.S. Patent 6,223,219 by Uniacke et al. "Trail management across transport functionality of large and complex telecommunications networks" April 24, 2001. Discloses a trail management system including information related to conflicts and inconsistencies of actual and intended transport network trails.

16. U.S. Patent 6,301,613 by Ahlstrom et al. "Verifying that a network management policy used by a computer system can be satisfied and is feasible for use" October 9, 2001. Discloses policy verification including whether a system configuration required by a policy can actually be carried out.

17. U.S. Patent 6,327,618 by Ahlstrom et al. "Recognizing and processing conflicts in network management policies" December 4, 2001. Discloses evaluation and resolution of policy conflicts.

18. U.S. Patent 6,330,600 by Matchefts et al. "System for synchronizing configuration information of a network element if received trap sequence number is out-of-sequence" December 11, 2001. Discloses a system for updating a configuration of a network element through a network manager.

19. U.S. Patent 6,374,293 by Dev et al. "Network management system using model-based intelligence" April 16, 2002. Discloses a network management system that allows users to see detailed information regarding different aspects of a network device.

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not


Art Unit: 2155

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
David Lazaro  
October 28, 2005

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER